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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,576	09/25/2003	Shlomo M. Zenou	90681	7448

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EXAMINER

FUREMAN, JARED

ART UNIT PAPER NUMBER

2876

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,576

Applicant(s)

ZENOU, SHLOMO M.

Examiner

Jared J. Fureman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/04, 2/04, 3/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Receipt is acknowledged of the IDS, on 2/6/2004, the IDS, on 2/9/2004, the IDS, on 3/24/2004, and the change of address, on 2/5/2005, all of which have been entered in the file. Claims 1-7 are pending.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --POINT OF SALE TERMINAL INCLUDING A SOCKET FOR RECEIVING A MOBILE DEVICE--.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ortiz et al (US 2002/0042774 A1).

Ortiz et al teaches a point of sale terminal (88) comprising: point of sale transaction circuitry (CPU 78, scanner 86, etc.); and a socket (docking station 64) for selectably receiving and supporting mobile computing/communicating device (72) and for permitting communication between said mobile computing/communicating device

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and said point of sale transaction circuitry, said point of sale transaction circuitry is operative both independently of and in cooperation with said mobile computing/communicating device (the POS terminal may scan merchandise and perform transactions regardless of whether the customer presents a device 72 or not); a display (76) associated with said point of sale transaction circuitry; a hard-wired interface circuitry for permitting communication between said mobile computing/communicating device and said point of sale transaction circuitry (the hand held device may have wired communications capability, see paragraph 81); wireless interface circuitry for permitting communication between said mobile computing/communicating device and said point of sale transaction circuitry (the hand held device may have wireless communications capability, see paragraph 81); wherein said mobile computing/communicating device comprises a device selected from the group consisting of portable computers, PDAS, beepers, portable telephones, mobile communicators and cellular telephones (see paragraphs 80 and 81); auxiliary memory (coupon database 82 and/or product database 84, for example) selectably associatable with said point of sale transaction circuitry (see figure 5, paragraphs 3, 6, 35, 80, 81, and 97-101).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortiz et al.

The teachings of Ortiz et al have been discussed above.

Ortiz et al fails to specifically teach, in the embodiment shown in figure 5, transaction security circuitry associated with said point of sale transaction circuitry and with said display.

However, in another embodiment, Ortiz et al teaches transaction security circuitry (hardware/software associated with security module 152) associated with a point of sale (140) transaction circuitry and with a display (a display of the POS 140, for example) (see figure 13 and paragraph 121).

In view of Ortiz et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the POS terminal as taught by Ortiz et al, transaction security circuitry associated with said point of sale transaction circuitry and with said display, in order to increase the security of the system by protecting the system from external threats (see paragraph 121, of Ortiz et al).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Delagrang et al (US 5,878,211), Su-Hui (US 6,334,575), Tracy et al (US 6,550,672), Paul et al (US 2004/0140361) all teach point of sale terminals or transaction terminals capable of interfacing with a mobile device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (571)

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272-2391. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jared J. Fureman
Jared J. Fureman
Examiner
Art Unit 2876

February 15, 2005